IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

W.P.NOs: 16644,16782,16852,16943,17066,17403,17404,17405 & 17406 of 2004

WRIT PETITION NO : 16644 of 2004

Between:

1 K. Krishna Prasad, S/o. Late K. Subba Rao, DSP
Vigilance & Enforcement, Rajahmundry, East Godavari District.
2 K.S.N. Murthy, S/o. K.S. Rama Rao, DSP
Anti Corruption Bureau, Warangal.
3 I. Trinadha Rao, S/o. I.V.R.K. Mohan Rao, DSP
Ramachandrapuram Sub-Division, East Godavari District.

..... PETITIONERS

AND

1 Government of Andhra Pradesh, Rep. by its Principal Secretary, Home Services-I Department,
Secretariat, Hyderabad.
2 The Director General of Police, State of Andhra Pradesh, Lakdikapool, Hyderabad.
3 The Deputy Inspector General of Police, Eluru Range, Eluru, West Godavari District.
4 The Deputy Inspector General of Police, Warangal Range, Warangal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Certiorari: (a)

Call for the records relating to and connected with the O.A.No.5096 of 2004, Dt. 09-09-2004 of the Administrative Tribunal and quash or set aside the same by holding it as arbitrary, illegal and improper and unjust, (b) Call for the records relating to and connected with the panel of Inspectors of Police fit to act as Deputy Superintendents of Police for the panel year of 2002-2003 vide G.O.Ms.No.190 and 191 Home (Services-I) Department, Dt. 11-7-2003, (c) Consequently declare that the action of the respondents in reverting the petitioners from the rank of Deputy Superintendents of Police vide G.O.Rt.No.1362 Home (Services-I) Department, Dt. 5-9-2004 as arbitrary, illegal, unwarranted and in violation of Articles 14 and 16 of the Constitution of India and (d) Further declare that the petitioner is entitled to continue as Deputy Superintendents of Police as per the approved panel of Inspectors fit to act as Deputy Superintendent of Police by virtue of the meritorious record for the year 2002-2003 as per Rule-3 of A.P. Police Service Rules in terms of G.O.Ms.No.190 and 191 Dt. 11-7-2003

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: Advocate General & GP FOR HOME

WRIT PETITION NO : 16782 of 2004

Between:

J.S. Rama Rao, S/o. Late J.V. Subba Rao, DSP
Sattenapalli Sub-Division, Guntur District.

..... PETITIONER

AND

1 Goverenment of Andhra Pradesh, Rep by its Principal Secretary, Home Services-1 Department,
Secretariat, Hyderabad.
2 The Director General of Police, State of Andhra Pradesh, Lakdikapool, Hyderabad.
3 The Deputy Inspector General of Police, Eluru Range, Eluru, West Godavari District.
4 The Deputy Inspector General of Police, Guntur Range, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Certiorari : a) Call for the records relating to and connected with the O.A.No. 5125 of 2004, Dt. 09-09-2004 of the Administrative Tribunal and quash or set aside the same by holding it as arbitrary, illegal and improper and injust, b) Call for the records relating to and connected with the panel of Inspectors of Police fit to act as Deputy Superintendents of Police for the panel year of 2002-2003 vide G.O.Ms.No. 190 and 191 Home (Services-1) Department, Dt. 11-7-2003, c) consequently declare that the action of the respondents in reverting the petitioners from the rank of Deputy Superintendents of police vide G.O.Rt.No.1362 Home (Services-I) Department, Dt.

5-9-2004 as arbitrary, illegal, unwarranted and in violation of Articles 14 and 16 of the constitution of India and d) Further declare that the petitioner is entitled to continue as Deputy Superintendents of police as per the approved panel of Inspectors fit to act as Deputy Superintendent of Police by virtue of the meritorious record for the year 2002-2003 as per Rule-3 of A.P. Police Service Rules in terms of G.O.Ms.NO. 190 and 191 Dt. 11-7-2003, and pass

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: Advocate General & GP FOR SERVICES I

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WRIT PETITION NO : 16852 of 2004

Between:

K.R. Vinya Kumar S/o Aseerwadam DSP (Intelligence)
Hyderabad Region, Hyderabad

..... PETITIONER

AND

1 Government of A.P., rep by Principal Secretary, Home (Police) Department, Secretariat, Hyderabad
2 The Director General & Inspector General of Police, Andhra Pradesh, Lak-di-Kapool, Hyderabad
3 The Deputy Inspector General of Police, Hyderabad Range, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Certiorari: (a) Call for the records relating to and connected with the O.A. No. 5118 of 2004, dt 09-09-2004 of the Administrative Tribunal and quash the or set a side the same by holding it as arbitrary, illegal and improper and unjust (b) Call for the records relating to and connected with the panel of Inspectors of Police fit to act as Deputy Superintendent of Police for the Panel year of 2002-2003 vide G.O.Ms. No. 190 and 191 Home (Services-I) Department, dt 11-7-2003 (c) Consequently declare that the action of the respondents in reverting petitioners from the rank of Deputy Superintendents of Police vide G.O.Rt. No. 1362 Home (Services-I) Department, Dt 5-9-2004 as arbitrary, illegal, unwarranted and in violation of Articles 14 and 16 of the Constitution of India, and (d) Further declare that the petitioner is entitled to continue as Deputy Superintendents of Police as per the approved panel of Inspectors fit to act as Deputy Superintendent of Police by virtue of the Meritorious records for the year 2002-2003 as per Rule-3 of A.P. Police Service Rules in terms of G.O.Ms. No. 190 and 191 dt 11.7.2003.

Counsel for the Petitioner: Mr. K. Satyanarayana Murthy

Counsel for the Respondents: Advocate General & G.P. for Home

WRIT PETITION NO : 16943 of 2004

Between:

R. Naganna Goud, S/o. Eswar Goud, DSP (CID)
Narasimha Reddy Nagar, Kurnool, Kurnool District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Principle Secretary,
Home Services (I) Department, Secretariat, Hyderabad.
2 The Director General of Police, A.P., Hyderabad.
3 S. Sai Baba, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
4 Sri. Vilal Gavani, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
5 B. Vijay Kumar, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
6 T. Ramsudhakar, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
7 A. Venkatesham, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
8 Y. Madhusudhan Rao, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
9 Ch. Rajaiah, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
10 V. Pandarinath,' S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
11 N. Sriramulu, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
12 P.S.S.P. Babu, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
13 T.S.V. Ramana Rao, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.
14 K. Veera Reddy, S/o. Not Known,
working as S.D.P.O, O/o. Director General of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction, order one in the nature of Writ of Certiorari calling for records pertaining to orders dated 9-9-2004 passed in O.A.No.5104/2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and further declare that G.O.Rt.No.1362 dated 5-9-2004 and the Consequential automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of principles of natural Justice

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent Nos.1 & 2: Advocate General & GP FOR

SERVICES I

Counsel for the Respondent Nos.9 & 10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 11 to 14: None appeared

WRIT PETITION NO : 17066 of 2004

Between:

A. Krishna Kumar, S/o. A. Narayana Rao,
Working as D.S.P. (A.C.B), Anantapur, Anantapur District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by its Principles Secretary, Home Services (I) Department, Secretariat, Hyderabad.
2 The Director Generl of Police, A.P., Hyderabad.
3 S. Sai Baba, S/o. and age not known, O/o. Director General of Police, Hyderabad.
4 Sri. Vilal Gavani, S/o. and age not known, O/o. Director General of Police, Hyderabad.
5 B. Vijay Kumar, S/o. and age not known, O/o. Director General of Police, Hyderabad.
6 T. Ramsudhakar, S/o. and age not known, O/o. Director General of Police, Hyderabad.
7 A. Venkatesham, S/o. and age not known, O/o. Director General of Police, Hyderabad.
8 Y. Madhusudhan Rao, S/o. and age not known, O/o. Director General of Police, Hyderabad.
9 Ch. Rajaiah, S/o. and age not known, O/o. Director General of Police, Hyderabad.
10 V. Pandarinath, S/o. and age not known, O/o. Director General of Police, Hyderabad.
11 N. Sriramulu, S/o. and age not known, O/o. Director General of Police, Hyderabad.
12 P.S.S.P. Babu, S/o. and age not known, O/o. Director General of Police, Hyderabad.
13 T.S.V. Ramana Rao, S/o. and age not known, O/o. Director General of Police, Hyderabad.
14 K. Veera Reddy, S/o. and age not known, O/o. Director General of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction, order one in the nature of Writ of Certiorari calling for records pertaining to orders dated 9-9-2004 passed in O.A.No. 5109/2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and further declare that

G.O.Rt.No. 1362 dated 5-9-2004 and the consequential Automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of Principles of Natural Justice and pass

Counsel for the Petitioner: MR.J.R.MANOHAR RAO

Counsel for the Respondent Nos.1&2: Advocate General & GP FOR SERVICES II

Counsel for the Respondent Nos.9&10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 10 to 11: None appeared

WRIT PETITION NO : 17403 of 2004

Between:

S. Sriramulu, S/o. Siruvappa, SDPO
Adoni, Kurnool District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Principle Secretary, Home Services (I) Department, Secretariat, Hyderabad.
2 The Director General of Police, Andhra Pradesh, Hyderabad.
3 S. Sai Baba, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
4 Sri Vilal Gavani S/o. Not Known,
O/o. Director General of Police, Hyderabad.
5 B. Vijay Kumar, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
6 T. Ramsudhakar, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
7 A. Venkatesham, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
8 Y. Madhusudhan Rao, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
9 Ch. Rajaiah, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
10 V. Pandarinath, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
11 N. Sriramulu, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
12 P.S.S.P. Babu, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
13 T.S.V. Ramana Rao, S/o. Not Known,
O/o. Director General of Police, Hyderabad.
14 K. Veera Reddy, S/o. Not Known,
O/o. Director General of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to to issue a Writ, direction order one in the nature of Writ of Certiorari calling for records pertaining to orders dated 9-9-2004 passed in O.A.No.5111/2004 on the file of the Hon'ble A.P. Administrative Tribunal and quash the same and further declare that G.O.Rt.No.1362 dated 5-9-2004 and the Consequential automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of principles of Natural Justice

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent Nos.1&2: Advocate General & GP FOR SERVICES II

Counsel for the Respondent Nos.9&10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 11 to 14: None appeared

WRIT PETITION NO : 17404 of 2004

Between:

P. Venkatrami Reddy, S/o. Sadasiva Reddy, SDPO
Rajampet, Kadapa District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep by its Principle Secretary, Home Services (I) Department, Secretariat, Hyderabad.
2 The Director General of Police, A.P., Hyderabad.
3 S. Sai Baba, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
4 Sri. Vilal Gavani, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
5 B. Vijay Kumar, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
6 T. Ramsudhakar, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
7 A. Venkatesham, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
8 Y. Madhusuhan Rao, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
9 Ch. Rajaiah, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
10 V. Pandarinath, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
11 N. Sriramulu, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
12 P.S.S.P. Babu, S/o. and age not known,
O/o. Director General of Police, Hyderabad.
13 T.S.V. Ramana Rao, S/o. and age not known,

O/o. Director General of Police, Hyderabad.

14 K.Veera Reddy, S/o. and age not known,
O/o. Director General of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction, order one in the nature of Writ of Certiorari calling for records pertaining to orders dated 9-9-2004 passed in O.A.No. 5110/2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and further declare that G.O.Rt.No. 1362 dated 5-9-2004 and the consequential Automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of Principles of Natural Justice.

Counsel for the petitioner : Sri M. Surender Rao

Counsel for the Respondent Nos.1&2: Advocate General & G.P. for Services I

Counsel for the Respondent Nos.9&10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 11 to 14: None appeared

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WRIT PETITION NO : 17405 of 2004

Between:

G. Narayana Swamy S/o G.C. Basappa, SDPO
Police Officer, Proddutur, Kadapa District

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by Principle Secretary, Home Services(I)
Department, Secretariat, Hyderabad

2 The Director General of Police, A.P., Hyderabad

3 S. Sai baba
Working SDPOs O/o Director General of Police, Hyderabad

4 Sri. Vilal Gavani
Working SDPOs O/o Director General of Police, Hyderabad

5 B. Vijaya Kumar
Working SDPOs O/o Director General of Police, Hyderabad

6 T. Rasudhakar
Working SDPOs O/o Director General of Police, Hyderabad

7 A. Venkatesham
Working SDPOs O/o Director General of Police, Hyderabad

8 Y. Madhusuhan Rao
Working SDPOs O/o Director General of Police, Hyderabad

9 Ch. Rajaiah
Working SDPOs O/o Director General of Police, Hyderabad
10 V. Pandarinath
Working SDPOs O/o Director General of Police, Hyderabad
11 N. Sriramulu
Working SDPOs O/o Director General of Police, Hyderabad
12 P.S.S.P. Babu
Working SDPOs O/o Director General of Police, Hyderabad
13 T.S.V. Ramana Rao
Working SDPOs O/o Director General of Police, Hyderabad
14 K.Veera Reddy
Working SDPOs O/o Director General of Police, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction, order one in the nature of Writ of Certiorari Calling for records pertaining to orders dated 9-9-2004 passed in O.A. No. 5108/2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and further declare that G.O.Rt. No. 1362 dated 5-9-2004 and the consequential Automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of Principles of natural justice

Counsel for the Petitioner: MR.C.SRINIVASA BABA

Counsel for the Respondent Nos.1&2: Advocate General & G.P. for Services II

Counsel for the Respondent Nos.9&10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 11 to 14: None appeared

WRIT PETITION NO : 17406 of 2004

Between:

Md. Shareef, S/o Vali Saheb, SDPO
Jangareddygudem, West Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Principle Secretary, Home Services (I) Department, Secretariat, Hyderabad.
2 The Director General of Police, A.P., Hyderabad.
3 S. Sai Baba
4 Sri Vilal Gavani
5 B. Vijay Kumar
6 T. Ramsudhakar

7 A. Venkatesham
8 Y. Madhusudhan Rao
9 Ch. Rajaiah
10 V. Pandarinath
11 N. Sriramulu
12 P.S.S.P. Babu
13 T.S.V. Ramana Rao
14 K. Veera Reddy

(Respondents Nos. 3 to 14 , All are working as S.D.P. Os O/o Director General of Police, Hyderabad).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, direction, order one in the nature of Writ of Certiorari calling for records pertaining to orders dated 9-9-2004 passed in O.A.No. 5106 of 2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and further declare that G.O.Rt.No. 1362 dated 5-9-2004 and the Consequential Automix Fax Message dated 5/6-9-2004 are illegal, arbitrary and discriminatory and are violative of Article 14 and 16 of the Constitution of India apart from violation of Principles of Natural Justice

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent Nos.1&2: Advocate General & G.P. for Services II

Counsel for the Respondent Nos.9&10: Dr.P.B.Vijaya Kumar

Counsel for the Respondent Nos.3 to 8 and 11 to 14: None appeared

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ORAL ORDER: (PER GB,J.)

All the Writ Petitions can be disposed of by a common order. The Writ Petitioners approached this Court assailing the reversion orders passed by the Government.

2. All the Writ Petitioners were promoted as Deputy Superintendents of Police on *ad hoc* basis on the basis of the Provisional Seniority list dated 10-4-2003. However, it appears that a final Seniority list was prepared thereafter and the same was published by Director General of Police on 9-1-2004. Basing on the said Seniority list the review of promotions were undertaken and the petitioners were reverted to the post of Inspector of Police by an order in G.O.Rt.No.1362, dated 5-9-2004. Assailing the said reversion, the petitioners filed O.As. before the Tribunal.

3. The Tribunal while admitting the O.As., issued notice in respect of interim relief. At that point of time aggrieved by the action of the Tribunal in not granting interim stay of reversion, the petitioners filed the Writ Petitions before this Court. This Court by

order dated 22-9-2004 directed the official respondents to maintain status quo ante on the date of G.O.Rt.No.1362, dated 5.9.2004. The Government have filed counter in the Writ Petitions and sought for vacating the said interim order and therefore the matter is heard finally.

4. It is the principal contention of the learned counsel for the petitioners that, on the basis of the Provisional Seniority and taking into consideration the orders issued by the Tribunal from time to time, as also the clearance by its screening committee the promotions were effected on *ad hoc* basis. But, however, when the final Seniority list was published, the same was not served on the petitioners, and on the other hand, basing on the final Seniority list the petitioners were sought to be reverted. Therefore, the reversion is illegal and invalid. In such a situation the Tribunal ought to have passed appropriate orders on interim relief application and failure to do caused grave and irreparable prejudice to the petitioners.

5. On the other hand, the learned Special Government Pleader submits that the position of the petitioners was brought down by fixation of final seniority list and therefore, the seniors to the petitioners were required to be promoted reverting the petitioners. In fact, this was made clear in the promotion order issued to the petitioners earlier. Further learned Special Government Pleader also would contend that the writ petitioners are not maintainable in as much as no orders were passed by the Tribunal and that it is not a fit case to exercise the powers under Article 227 of the Constitution of India.

6. Though, the learned counsel for the petitioners and the learned Special Government Pleader argued the matter at length on merits of the case in support of their respective contentions, we are not persuaded to consider those contentions and record a finding on the merits of the case inasmuch as the matter is yet to be decided by the Tribunal on merits. Hence, we find it most inappropriate to delve into the merits of their respective contentions. Suffice it to say by the time the order of *status quo ante* was passed by this Court on 22-9-2004 and even as on today the petitioners are not restored to the post of Deputy Superintendent of Police. On the other hand, the unofficial respondents were already promoted and they are holding

the post of Deputy Superintendent of Police. In such a situation, we find it not appropriate to again set the clock back by directing the reversion of the unofficial respondents and promotion of petitioners in their place.

7. However, it is now brought to the notice of this Court that there are about twenty (20) posts of Deputy Superintendent of Police are vacant in the entire State as on date and the petitioners could be accommodated during the pendency of the matter before the Tribunal in which event it will not cause prejudice to any of the parties to the dispute.

8. On the other hand, the learned Special Government Pleader submits that the petitioners are not entitled for promotion on the basis of final seniority list and the seniors to the petitioners in the final seniority list would stake the claim for promotion as Deputy Superintendent of Police and it will cause prejudice to their service interest. But we are not inclined to consider this aspect, inasmuch as the very fixation of final seniority list is subjudice before the Tribunal on the basis of which the petitioners were reverted. It is also not the case of the Government that the posts are already filled up by the officers on the basis of final seniority list.

9. Under those circumstances, we find that the case of the petitioners should be considered for promotion to the post of Deputy Superintendent of Police in the existing vacancies and after accommodating the petitioners it is open for the Government to promote the other eligible candidates according to the Rules. However all the petitioners shall be ad hoc and subject to the result in the O.As.

10. The Writ Petitions are accordingly disposed of with the following direction:

> (i) That the Government shall consider the case of the petitioners for promotion to the post of Deputy Superintendent of Police in the existing vacancies and pass order accordingly within a period of two weeks from today.

(ii) The Tribunal is requested to dispose of the O.A. as expeditiously as possible within a period of six weeks from the date of receipt of a copy of this order. The Tribunal shall dispose of the matter uninfluenced by any observations or findings recorded in these Writ Petitions or in the order passed by this Court dated 22.9.2004.

11. With the directions indicated above, the Writ Petitions are disposed of. No costs.

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(G. BIKSHAPATHY, J.)

Date: 10-12-2004

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(B.SESHASAYANA REDDY, J.)

ES

Note:- Copy by 13-12-2004

B/o.

ES

To

1 Government of Andhra Pradesh, Rep. by its Principal Secretary, Home Services-I Department,
Secretariat, Hyderabad.
2 The Director General of Police, State of Andhra Pradesh, Lakdikapool, Hyderabad.
3 The Deputy Inspector General of Police, Eluru Range, Eluru, West Godavari District.
4 The Deputy Inspector General of Police, Warangal Range, Warangal, Warangal District.

5 The Registrar, A.P. Administrative Tribunal, Hyderabad.

6 The Deputy Inspector General of Police, Guntur Range, Guntur District.

7 The Deputy Inspector General of Police, Hyderabad Range, Hyderabad.

8 2 CCs to the Advocate General, High Court of A.P., Hyderabad (OUT).

9 2 CCs to the G.P. for Home, High Court of A.P., Hyderabad (OUT).

10 2 CCs to the G.P. for Services I, High Court of A.P., Hyderabad (OUT).

11 2 CCs to the G.P. for Services II, High Court of A.P., Hyderabad (OUT).

12 2 CD copies.